

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.)
)
THOMAS VIGLIATURA, ET AL.)
)

Criminal No. 05-40033-FDS

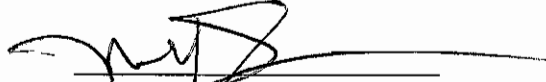
APPLICATION REGARDING DAWN LEMOVITZ

Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby applies to this Court, pursuant to Title 18, United States Code, Section 6003, for an Order requiring DAWN LEMOVITZ to testify at the trial of this matter. In support of this application, the Government respectfully alleges as follows:

1. The trial of this case is scheduled to commence June 4, 2007. The United States expects to call DAWN LEMOVITZ as a witness.
2. DAWN LEMOVITZ has refused to testify or provide other information on the basis of her privilege against self-incrimination.
3. In the judgment of the United States Attorney, the testimony of DAWN LEMOVITZ may be necessary to the public interest.
4. This Application is made with the approval of Mary Lee Warren, Deputy Assistant Attorney General of the Criminal Division of the United States Department of Justice, pursuant to the authority vested in her by Title 18, United States Code, Section 6003(b) and 28 C.F.R. Section 0.175(a). A copy of the letter from the Deputy Assistant Attorney General expressing such approval is attached hereto, and incorporated herein.

WHEREFORE, the United States Attorney requests that this Court issue an Order pursuant to Sections 6002 and 6003 of Title 18, United States Code, requiring DAWN LEMOVITZ to give testimony relating to all matters about which she may be examined before the Petit Jury of the United States.

Respectfully submitted,


MICHAEL J. SULLIVAN
United States Attorney



U.S. Department of Justice

Criminal Division

Office of the Assistant Attorney General

Washington, DC 20530-0001

JUN - 1 2007

The Honorable Michael J. Sullivan
United States Attorney
District of Massachusetts
Boston, Massachusetts 02210

Attention: George W. Vien
Assistant United States Attorney

Re: United States v. Brian Benedict

Dear Mr. Sullivan:

Pursuant to the authority vested in me by 18 U.S.C. § 6003(b) and 28 C.F.R. § 0.175(a), I hereby approve your request for authority to apply to the United States District Court for the District of Massachusetts for an order pursuant to 18 U.S.C. §§ 6002-6003 requiring Dawn Lemovitz to give trial testimony in the above-named case.

Sincerely,

Alice S. Fisher
Assistant Attorney General

Mary Lee Warren
Deputy Assistant Attorney General
Criminal Division